



**STATE OF NEVADA
BEFORE THE NEVADA COMMISSION ON ETHICS**

**In the Matter of the Request for Opinion
Concerning the Conduct of RONALD LYNCH,
Trustee, Indian Hills General Improvement
District,
State of Nevada,**

Request for Opinion No. 10-33C

Subject.
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EXECUTIVE DIRECTOR'S RECOMMENDATION

And Approval Of Investigator's Report

Investigatory Panel Members:

Chairman John T. Moran III and Commissioner Magdalena Groover

The following is the Executive Director's recommendation based on consideration and investigation of the Ethics Complaint filed against Indian Hills General Improvement District Trustee Ronald Lynch ("Subject"), a public officer, and on the Subject's written response to the Complaint, attached to the Investigator's Report. That Report and its exhibits are approved and are attached for the consideration of the two-commissioner investigatory panel.

Allegations:

The main allegation is that Trustee Lynch violated NRS 281A.420(1) and (3) when he failed to disclose his commitment in a private capacity to the interest of his employer, Douglas County, and then participated in a vote to approve the expenditure of funds to construct a water pipeline that affected Douglas County.

Facts:

Lynch is not employed by Douglas County. He works for the Douglas County Mosquito Abatement District, which is a separate political subdivision from Douglas County.

Nevada Revised Statutes (NRS) and case law:

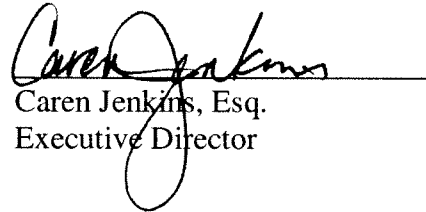
The applicable statutes are NRS 281A.420(1) and (3) which in essence provide that a public officer shall not vote on a matter which would reasonably be affected by his commitment in a private capacity to his employer without first disclosing the conflict and undertaking the abstention analysis on the record.

Recommendation:

After reviewing the evidence and NRS 281A.420, I recommend that the Panel find just and sufficient cause DOES NOT EXIST to forward this matter to the Commission for an opinion on the allegations that Lynch failed to disclose and abstain from voting on the water supply pipeline due to a commitment in a private capacity to his alleged employer, Douglas County, since Lynch is not and has not been employed by that entity. Therefore, due to this factual error on the Requester's part, just and sufficient cause **DOES NOT EXIST** for the Commission render an opinion on all of the above allegations.

I hereby approve the attached Investigator's Report and provide this, my recommendation, to this honorable panel.

Dated this 30th day of June, 2010.


Caren Jenkins, Esq.
Executive Director